

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACKARY ELLIS SANDERS,

Defendant.

Crim. No. 1:20-cr-00143
Honorable T.S. Ellis, III

Pretrial Conference: Jan. 15, 2021
Trial: Feb. 9, 2021

NOTICE OF FILING

Mr. Zackary Ellis Sanders, by and through undersigned counsel, respectfully submits this Notice of Filing to alert the Court and Government to circumstances stemming from the COVID-19 pandemic that are preventing Mr. Sanders from accessing counsel and assisting in his defense.

The defense has not been able to communicate with Mr. Sanders, except for one phone call, since December 18, 2020. December 18th was the last time Mr. Sanders was able to speak with defense counsel by video call, which is the only time the defense is able to review discovery or work product with Mr. Sanders.

On December 20, 2020, due to a COVID-19 outbreak at Alexandria Detention Center (“ADC”), all legal calls with defense counsel were cancelled through December 31, 2020. *See, e.g.,* December 21st Email, attached as Ex. 1. On the afternoon of December 22, 2020, the defense was able to speak with Mr. Sanders briefly by telephone. Later that evening, Mr. Sanders tested positive for COVID-19 and was placed in quarantine. The defense has not been permitted to speak to Mr. Sanders by phone since December 22, 2020.

On December 28, 2020, the defense was informed that calls could be suspended further, and that it should follow up to see if calls could resume the second week of January. *See, e.g.*, December 28th Email, attached as Ex. 2. On December 29, 2020, the defense received the results of Mr. Sanders's December 22nd COVID-19 test and it was also announced that the cancellation of all legal calls would be extended through January 7, 2021. *See, e.g.*, December 29th Email, attached as Ex. 3.

In addition, unless and until Mr. Sanders is cleared by ADC to leave quarantine and depart from the facility, he will not be able to visit the U.S. Attorney's Office to review evidence against him—which he has not been able to do since December 8, 2020.

Respectfully submitted,

/s/

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Counsel for Defendant Zackary Ellis Sanders

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of December 2020, the foregoing was served electronically on the counsel of record through the U.S. District Court for the Eastern District of Virginia Electronic Document Filing System (ECF) and the document is available on the ECF system.

/s/ Jonathan Jeffress

Jonathan Jeffress